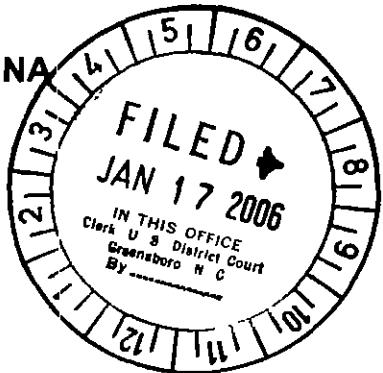


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHARLES E AYCOCK, JR.,)
MICHAEL STRACUZZI and)
ELIZABETH STRACUZZI,)
Plaintiffs,)
v.)
ANTHONY J PRINCIPAL,)
Secretary of Department of Veterans)
Affairs and DEPARTMENT OF)
VETERANS AFFAIRS,)
Defendants)



1:02-cv-437

J-U-D-G-M-E-N-T

On November 4, 2005, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS HEREBY ORDERED AND ADJUDGED that Defendant's motion for summary judgment (docket no. 39) be **GRANTED** and this action be **DISMISSED** with prejudice.


UNITED STATES DISTRICT JUDGE

DATE January 17, 2006